

REMARKS

Please reconsider the application in view of the above amendments and the following remarks.

Disposition of Claims

Prior to this response, the application included claims 1-33. Applicants have canceled claims 13-15, 19, 21, 22 and 29-33. Examiner has rejected claims 1, 4, 8, and 10. Applicants kindly acknowledge the Examiner's indication that claims 16-18, 20, and 23-28 are allowed, and claims 2, 3, 5-7, 9, 11, and 12 would be allowable if amended to be independent form and to include all of the limitations of base claim 1 and any intervening claims. Applicants have amended claim 1 to include "a nozzle opening on a surface...and one or more waste fluid control apertures on the surface." Support for this amendment can be found at least in Figs. 5A and 5B. Applicants have added claims 34-44.

Accordingly, claims 1-12, 16-18, 20, 23-28, and 34-44 are presented for examination, with claims 1, 16, 23, and 35 being in independent form.

Rejections under 35 U.S.C. §102

The Examiner rejected claims 1 and 4 under 35 U.S.C. 102(b) as being anticipated by Takata (U.S. 6,193,356).

Independent Claim 1

The Examiner rejected claim 1 as anticipated by Takata. Applicants respectfully submit that Takata fails to disclose a "nozzle opening on a surface...and one or more waste fluid control apertures on the surface proximate the nozzle opening" as recited in amended claim 1. Rather, Takata discloses an ink suction unit 21 that includes a suction portion 23 connected to a suction pump 22. (Takata, col. 4, lines 40-46; Fig. 1) Takata describes moving the ink jet head to a reset position for purging operations by the ink suction unit 21. (col. 4, lines 24-29, Fig. 1) The reset position is at a position to the side of the platen roller 18. (*id.*) The ink suction unit is separate from the ink jet head, and the suction portion is not on the same surface as the nozzle

opening. Applicants respectfully submit that Takata does not disclose "one or more waste control apertures on the surface proximate the nozzle opening."

Accordingly, applicants submit that claim 1 is not anticipated and respectfully requests that the rejection under 35 U.S.C. 102 be withdrawn. Furthermore, because claim 4 depends from claim 1, this dependent claim is not anticipated for at least the same reason that independent claim 1 is not anticipated.

Rejections under 35 U.S.C. §103

The Examiner also rejected dependent claims 8 and 10 as being unpatentable under 35 U.S.C. §103 over Takata in view of Le (U.S. 4,613,875). The Examiner acknowledges that Takata fails to disclose a drop ejection device having the width of the nozzle opening is about 200 microns or less and a nonwetting coating proximate the nozzle opening. Applicants submit however Le fails to disclose the feature found to be lacking in Takata. In particular, Le does not describe or suggest a "nozzle opening on a surface ...and one or more waste fluid control apertures on the surface proximate the nozzle opening".

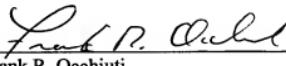
Accordingly, applicants submit that claims 8 and 10 are not obvious and respectfully request that the rejection under 35 U.S.C. 103 be withdrawn.

Conclusion

Please apply any charges, not covered, or credits to deposit account 06-1050.

Respectfully submitted,

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